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NO. 1765 P. 1/4

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To:	Examiner Jose Fortuna/AU 1731	From:	Leonard R. Svensson
Fax:	(703) 872-9306	Pages:	4 including cover sheet
Phone:	(571) 272-1188	Date:	May 17, 2004
Your Ref.:	09/701,261	Our Ref.:	0459-0495P
Re:	Request for Continued Examination	CC:	

☐ **Urgent** ☐ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

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• **Comments:** Please find attached a Request for Continued Examination Under 37 CFR § 1.114

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MS RCE
PATENT
0459-0495P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: LUNDEN Conf.: 8716
Appl. No.: 09/701,261 Group: 1731
Filed: February 27, 2001 Examiner: FORTUNA, Jose
For: USE OF COLLOIDAL PRECIPITATED CALCIUM
CARBONATE AS A FILLER IN THE PREPARATION
OF PAPER

REQUEST FOR CONTINUED EXAMINATION
UNDER 37 C.F.R. § 1.114

MS RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

May 17, 2004

Sir:

This is a "Request for Continued Examination" under 37 C.F.R. § 1.114, the provisions of which do not apply to:

(1) A provisional application; (2) An application for a utility or plant patent filed under 35 U.S.C. 111(a) before June 8, 1995; (3) An international application filed under 35 U.S.C. §363 before June 8, 1995; (4) An application for a design patent; or (5) A patent under reexamination.

Submission of an RCE is limited to an application in which prosecution is closed; e.g. final rejection, Ex Parte Quayle; or notice of allowability

☒ This Request for Continued Examination is being filed prior to the earliest of:

(1) Payment of the issue fee, unless a petition under § 1.313 is granted; (2) Abandonment of the application; or (3) The filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. § 141, or the commencement of civil action under 35 U.S.C. §§ 145 or 146, unless the appeal or civil action is terminated.

☐ The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

☒ The enclosed document is being transmitted via facsimile.

Appl. No. 09/701,261

☒ Submission Required under 37 C.F.R. § 1.114:

- ☐ Do NOT enter the After Final Amendment(s) previously filed on _____ under 37 C.F.R. § 1.116.

Enter as part of the present submission:

- ☒ The After Final Amendment(s) previously filed on April 15, 2004, under 37 C.F.R. § 1.116 but unentered, in the present application.
- ☐ Arguments in the Appeal Brief or Reply Brief previously filed on _____
- ☐ A Reply Under Rule 1.111, attached hereto. Claim fee(s) are calculated as set forth below:

	TOTAL NUMBER OF CLAIMS PREVIOUSLY PAID FOR	TOTAL NUMBER OF CLAIMS BEING FILED HEREWITH	NUMBER EXTRA	Large Entity		Small Entity	
				Rate	Fee	Rate	Fee
Total Claims	20	=		X 18	\$	X 9	\$
Independent Claims	3	=		X 86	\$	X 43	\$
<input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM				290	\$	145	\$
TOTAL CLAIM FEE(S)						\$0.00	

- ☐ An Information Disclosure Statement (IDS) and PTO-1449 form(s) is/are attached hereto for the Examiner's consideration.
- ☐ Other: _____

☐ Miscellaneous

- ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of () months. (Period of suspension shall not exceed 3 months.)

Appl. No. 09/701,261

☒ **Fees**

The required fee under 37 C.F.R. § 1.17(e) as required by 37 C.F.R. § 1.114 when the RCE is filed, is enclosed herewith:

☐ \$385.00 - small entity☒ \$770.00 - large entity

- ☒ The applicant(s) hereby petition(s) for an extension of one (1) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a). The fee has been calculated as shown below:

☒ NO extensions of time have been previously obtained in the prior application. Thus, a fee of \$110.00 is required for the full period of the above-requested extension of time.

☐ An extension of () month(s) was previously requested and paid for on in the instant application. Thus, a fee of \$0.00 is required to obtain an additional () month(s) extension.

☐ The fee of \$130.00 under 37 C.F.R. § 1.17(i) for suspension of action is enclosed.

☐ Enclosed is(are) check(s) in the total amount of \$0.00 for the applicable filing fee, additional claims fee, suspension fee, and/or extension fees.

☒ Please charge Deposit Account No. 02-2448 in the amount of \$880.00.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Certificate of Transmission
I hereby Certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office:

On May 17, 2004
Sandra B. Paulo
Signature
SANDRA B. PAULO
Typed or printed name of person signing certificate

LRS/KR/sbp
0459-0495P

Attachment(s)

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By Kalpana Zella #46,183
Leonard R. Svensson, #30,330

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